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Mongolia

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I. Introduction

1. Mongolia submitted its first national report on human rights situation in Mongolia to the 16th session of the Human Rights Council (further referred to as HRC) in 2010. The consideration of the report resulted in overall in 129 recommendations offered by other countries out of which Mongolia committed itself to 126 recommendations and informed that the country has already implemented the rest three recommendations.

II. Methodology and consultative process

2. The second national report reflects the legal and structural changes and progress that have taken place in protecting and promoting human rights in Mongolia in 2010–2014 as well as implementation state of the Plan of Action for 2011-2014 approved by the Government of Mongolia (further referred to as GoM) in 2011 in pursuit of the recommendations. Mongolia submitted to the UN its voluntary Mid-term progress report on implementation of the recommendations in May 2014. The current report also includes the existing challenges and gaps in protecting and promoting human rights as well as objectives, ways and means for overcoming them.

3. The working group on the second national report set up by the decree of the Prime-Minister of Mongolia collected sub-reports from relevant organizations on the implementation of recommendations and held two discussion meetings. The working group in cooperation with ministries and agencies of Mongolia, the National Human Rights Commission (further referred to as NHRC) and non-governmental organizations (further referred to as NGOs) engaged in human rights organized three times an open discussion on the report.

4. The report comprises the proposals and recommendations provided by the representatives of NGOs that participated in the above-mentioned discussions.

III. Legal environment for protection and promotion of human rights

A. Improvement of national legal environment

5. The national mechanism in charge of and committed to human rights in Mongolia consists of the Human Rights Sub-Committee (HRSC) of the State Great Hural, the NHRC, the Committee in charge of implementing the National Human Rights Program, its Secretariat and its aimag (province) and city branch offices.

6. Laws of Mongolia on Court, on Legal Status of Judges, on Legal Status of Lawyers, on Court Administration, on Legal Status of Citizens' Representatives in Court, on Reconciliation Mediation were adopted in 2013 within the judicial reform.

7. With a view to ensure gender equality in political, legal, economic, social, cultural and family relationship, the Law on Gender Equality was approved in 2011. The Law introduced gender, gender equality, sexual oppression and gender representation quota and legalized equality and non-discrimination of men and women in political, economic and social relationship, legally fixed the gender representation quota to be pursued by state and non-governmental organizations. For example, it stipulates that no less than 15 per cent of department directors in ministries and agencies should be women. Out of overall 22,191

employees engaged in the law enforcement field 84.2 per cent are men and 15.8 per cent are women. If one looks at the gender balance in agencies and organizations of the Ministry of Justice, then out of 31 senior officials 29 or 90.3% are males and 2 or 6.5% are females.

8. The Law on Combatting Human Trafficking was enacted in 2012. The Law defined human trafficking crime in compliance with the Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. This Law stipulates that the state shall be responsible for reflecting the essence of human trafficking crimes, its consequences, crime prevention and awareness-raising in curricula of senior and middle classes of general education schools, for protecting dignity and identity of victims of human trafficking crimes, securing confidentiality of their personal information for the sake of their safety, operating protection shelters, delivering health and psychological rehabilitation services to victims, providing them with employment, enrolling them into professional training and offering legal counseling aid.

9. The Law on Witness and Victim Protection was approved in 2013. This law defines the forms of protection measures such as provision of personal protection to witnesses whose life and health have been damaged or may be damaged, their temporary placement in a safe shelter, change of their appearances and specifies that when the need for protection measures emerge the Police, Investigation Office, Marshals (Takhar) Service, Anti-Corruption Authority and the General Intelligence Agency shall be responsible for the implementation of protection measures.

10. The Law on Providing Legal Assistance to Indigent Defendants, that became operational in 2013, protects the rights of poor citizens through providing them with lawyers' services to defend their legitimate interests in the course of investigation and court trial.

B. Accession to international treaties

11. In the reporting period Mongolia acceded to the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty (2012) and ratified the International Convention for the Protection of All Persons from Enforced Disappearance (2014) and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (2014) as reflected in the recommendations.

12. Mongolia submitted its 4th report under the International Covenant on Economic, Social and Cultural Rights in 2012, the first report under the Convention on the Rights of Persons with Disabilities in 2012, 19–21st consolidated report under the International Convention on the Elimination of All Forms of Racial Discrimination in 2014, and 8–9th consolidated report under the Convention on the Elimination of All Forms of Discrimination against Women in 2014. Mongolia has finalized its 5th report under the Convention on the Rights of the Child and 2nd report under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and will submit the reports soon.

C. New institutions on promotion of human rights

13. Alongside with the human rights institutions mentioned in the first report, a Marshals Service was newly established under the Law on Witness and Victim Protection and the Law on Marshal Service that have been adopted in the reporting period. The Marshal Service is engaged in protection of 43 offices of 41 chancelleries in 79 courts.

14. A Policy Council on Disabled Persons was set up in 2012.

15. In 2014 a new Human Rights Division was established within the Department of International Legal Affairs of the Ministry of Foreign Affairs to coordinate the activities related to accession to international human rights treaties and implementation of already acceded treaties, to monitor the activities on drafting reports and submitting information related to these treaties.

16. The Legal assistance center has been established in pursuit of the Law on Providing Legal Assistance to Indigent Defendants which is functioning nation-wide providing legal assistance to indigent defendants in 9 districts of the capital city, 21 aimags and 3 soums. In the first half of 2014, 1,046 defendants in 982 cases approached the legal assistance center and received lawyer's service free of charge. Out of this 479 cases have been fully decided by the court, 66 cases have been settled at the pre-court level and 358 cases are at the decision-taking stage. An overwhelming part of service-seekers applied for lawyer's assistance at the investigation stage (49.2%) and at the first instance court stage (28.3%).

D. Judicial reform

17. The purpose of the new cluster laws on Judiciary is to create possibility for implementing in a more objective way the court powers stipulated in the democratic Constitution of Mongolia to deliver fair justice through ensuring court's independent, open and transparent character, securing independence of court administration and its budget, regulating the work load of courts and judges and enhancing the judges' skills and responsibility that constitute the vital issues of the judicial reform.

18. The implementation of the cluster laws on Judiciary since 15 April, 2013 has brought up the following results: The court administration and court procedures have been separated and thus, conditions have been created for judges to be free from administration management and its influence. For the first time the Court General Council was set up along independent model in organizational and structural respect with functions to ensure independence and protection of courts and judges.

19. The first instance and appellate courts were set up regionally according to their specialization, thus enabling the judges to conduct court proceedings in compliance with their specialization. New mechanisms started to work with a view to ensure the judges' integrity and independence.

20. As the cluster laws on Judiciary laid down the legal basis for introducing the technological achievements, much was done to make electronic court. In court buildings of all levels "Open Court" room was established enabling to watch the court proceedings on-line which is a practical realization of the laws' provisions on making the court proceedings open and transparent to citizens and the public. Thus, a mechanism has been established for protection from violating the human rights at the court level.

21. Reconciliation mediation has been introduced in our country since 2014 and at present the reconciliation mediation is successfully conducted in 33 first instance civil case courts.

22. Citizens' Representatives function at first instance courts under the "Regulations on Selection and Work of Citizens' Representatives".

IV. Implementation of the recommendations on protection and promotion of human rights

A. Abolition of the capital punishment

23. The Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty was ratified on 5 January, 2012.

24. The President of Mongolia in exercising his full power to pardon the prisoners within the framework of the Criminal Code set a moratorium on capital punishment in 2010 and since then not a single person has been executed.

25. A revised draft of the Criminal Code provides for abandoning the capital punishment.

26. Conditions have been created for the detention of persons sentenced to capital punishment in the detention center (newly put into operation) in a cell with 24-hour monitoring mobile TV camera that meets the standards required by the legislation.

27. The Prosecutor's Office undertakes control within its competence whether the convicted person, sentenced to capital punishment, is treated in line with the international standards.

B. Prevention of torture

28. Mongolia signed the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment on 24 September, 2013 and ratified it on 11 December, 2014.

29. Under the Law on Police adopted by the SGH in 2013 the NHRC was vested with power to exercise control over the activities of the police and policemen. This leads to the creation of an independent national verification system over the activities of the police officers.

30. A sub-committee was established to implement the National Human Rights Program within the police organization, ensure its implementation and submit the relevant information to the higher authorities. This sub-committee led by the First Deputy Chief of the General Police Department within the activities on ensuring human rights and under the "Memorandum on Cooperation between the General Police Department and the National Human Rights Commission" organizes on a regular basis meetings to discuss the implemented work and proposals on future activities as well as study work on persons imprisoned on criminal offences, information about human rights complaints on the part of detained suspects and convicted persons and taken measures, the goals to be pursued within the work on promoting human rights and the plan of activities.

31. By the order of the Minister for Justice the following regulations have been approved: Internal regulations of detention premises (2013), Regulations on exercising control over the implementation of court decision on forced labor offence (2013), Regulations on armed convoy activities (2014), Regulations on ensuring safety of judges (2014), Regulations on armed convoy during transfer of detention premises and detention facilities (2014), Regulations on implementing security and protection measures to ensure confidentiality of information of witnesses and victims (2014), Regulations on providing witnesses and victims with special technical appliances (2014), Regulations on security and protection measures during temporary placement of witnesses and victims in a safe shelter (2014), Regulations on provision of medical aid to witnesses and victims (2014),

Regulations on Personal Protection (2014), Regulations on defense and protection of detention centers and on control over the convicted persons (2014) and Regulations on placement of suspected, accused and convicted persons in organizations (2014).

32. According to the organizational structure of the Police organization, a division in charge of investigating crimes perpetrated by specific subjects was transferred to the Internal Control and Security Department of the General Police Department with a view to support the investigation activities of the Crime Combating Department. The Code 224 of the Regulations on Police activities stipulates that: "It is prohibited for a police officer to treat a temporarily arrested person in a cruel, inhuman and degrading manner, to torture by intentionally inflicting physical and psychological acts and to do any wrongdoing". Police officers conduct their activities in compliance with this code.

33. According to the consolidated data provided by the General Court Council, in the period between 2010 and 2014 the crimes qualified by the Criminal Code as torture took place as follows: 1 person in one case in 2010 (Bayan-Ulgii aimag), 1 person in one case in 2013 (Huvsgul aimag) and 2 persons in one case (Dornod aimag). All the convicts were sentenced under Article 251 of the Criminal Code. The police organization has not received any demand and official consignment from the prosecutor office related to torture and other cruel, inhuman or degrading treatment or punishment.

34. Meeting and interrogation section of the professional department in support of investigation activities has been fully equipped with video cameras and as a result safety of all participants in investigation process, protection, control, confidentiality, keeping order has improved during meeting of case filers, investigators, prosecutors, judges, intelligence and anti-corruption investigators with and interrogation of suspects and convicts and there were no cases of torture and inhuman treatment in 2014.

35. In 2007–2011, 6 detention facilities that meet international standards have been put into operation, repair works of detention facilities of the Court Decision Enforcement Office in 12 aimags have been fully completed and all that resulted in a comparative improvement of detention conditions. In order to bring the detention conditions to the UN standards 5 new standards were approved in 2013.

36. The contents and spirit of the Convention against Torture, as well as issues on prevention from torture have been reflected in training curriculum of the Police school of the Law Enforcement University. In 2008–2013, 4,909 course attendees and students of 161 courses were enrolled in this program and that will have a real effect on the knowledge and practical work of future staff of law enforcement organizations.

C. Preventing and combating domestic violence

37. Domestic violence issue has been specifically reflected in such state policy papers as "Mongolian State Policy on Family Development", "National Program on Gender Equality" and "National Program on Promotion of Human Rights in Mongolia". Mongolia acceded to the relevant international treaties and conventions and newly approved "Law on Fighting Domestic Violence" and "National Program on Fighting Domestic Violence". This testifies to the big importance that the state attaches to this issue and its efforts to this effect. The National Program on Fighting Domestic Violence sets the goal to provide social, psychological and legal services in the form of one-stop service or on a joint team basis. In this connection the approval of the National Program on Prevention of Accidents and Violence by the resolution of the Government of Mongolia in 2009 and its subsequent implementation set up a medical service for victims of domestic violence in hospitals. Proceeding from the need of coordinating the work of organizations and experts engaged in delivering services to victims of violence, the state administrative and service organizations

of all levels united their activities aimed at the family and since 2012 have started to work in cooperation in the form of one-stop services on the principle of " joint team".

38. Judging from information on crimes filed with the police organization[1], in the period between 2010 and October, 2014 out of total 160,380 filed crimes 2,828 cases have been related to domestic violence. In the last 4 years the number of domestic violence victims has been on rise. In 2010–284, in 2011–420, in 2012–534, in 2013–514 and in the first 10 months of 2014–632 persons suffered life loss and physical and health damages because of crimes. This growth is associated with more frequent requests of citizens to the police for help caused by better understanding and increased legal knowledge among citizens due to public awareness-raising activities and multi-faceted organizational and structural measures undertaken by the Government to fight this type of crimes in the past years.

39. The NGOs working in this field have been solely engaged in protecting the victims of domestic violence and providing the relevant services but in 2014 the Government established for the first time its own victim protection shelter. This protection shelter functions 24 hours and admits victims of domestic violence for 1–30 days and provides them medical assistance and psychological counseling. In 2014, 241 victims, including 2 adult men, 109 women, 91 girls and 130 boys from 140 families received assistance in this shelter.

40. The establishment of a protection shelter within the police organization structure enabled it to reduce the risk level of victims, to resolve promptly the disputed cases, to provide to victims psychological services and legal assistance and in cooperation with the social worker to enroll victims into social welfare services and conduct mediation activities. All this led to the improvement in restoring the violated rights of victims of violence crimes, in re-compensating the damages and in imposing responsibility on violence perpetrators.

41. A direct telephone line 107 has been put into operation since 2014 to receive calls from domestic violence victims for emergency assistance. In this period 478 citizens, including 61 from rural areas and 368 from Ulaanbaatar city have called and received relevant information and consultation. One-stop service center for victims of domestic and sexual violence at the forensic hospital of the Ministry of Justice started its operation since 15 December, 2009. The center provides medical aid to women aged 25–38 who have become victims of domestic and sexual violence admitting them to temporary protection shelter for 24–72 hours. As of 2014, 21 victims of sexual violence, 234 victims of domestic violence, in total 255 persons received medical aid from this center. A predominant part or 95 per cent are victims aged 25–38 years.

42. Additions and changes have been made to performance assessment indicators and working place descriptions of the police organization and police officers that now include assessment of their work on fighting domestic violence.

43. To detect and put an end to this type of secretly perpetrated crimes and provide an emergency assistance to the victims it is vitally required that the state officials working in this field have high skills and knowledge. Within the framework of such activities the National center against violence in cooperation with the NGOs has organized in 2013–2014 a training workshop on enhancing capacities to protect and provide services to victims of domestic violence for over 250 police inspectors and social workers of 9 districts. This training was also held in the countryside and at present over 600 local police inspectors and social workers have learned the specifics of domestic violence, its root causes and have been trained how to provide assistance in a team, how accord high level team services on

[1] Study by the Information and Research Center of General Police Department.

the basis of legislation on protecting victims and securing their safety taking into account their rights and their specific needs.

44. The regulations on conducting mandatory training for domestic violence perpetrators to affect their behavior and the relevant training program were approved by the joint order No. 69/55 of 2009 of the Minister for Justice and Minister for Social Welfare and Labor. Under this regulation the Center for cooperation between the police and the public of the General Police Department in cooperation with "Men-Healthy Family" NGO and with the financial support from the Ministry of Justice has launched mandatory training for violence perpetrators since October, 2014 at the detention center of the Court Decision Enforcement General Office. This training was provided for 343 persons detained by the judge order.

45. A policy is being pursued to appoint female case filers and investigators to work in the unit in charge of fighting violence against children and family within the metropolitan police department.

46. As the lack of adequate family education is one of the causes for domestic violence, 3–4 modules of formal and non-formal training on family education have been elaborated and relevant training courses have been held.

D. Combating human trafficking

47. A sub-council designed to regulate the activities on combating and preventing human trafficking and to provide professional guidance was established at the Ministry of Justice. As provided for in the Law on Combating Trafficking in Persons, the National program on combating human trafficking has been drafted. The main purpose of this program is to boost the implementation activities of the Law on Combating Human Trafficking, to combat and prevent from committal of such crimes in future and to involve the targeted groups through constructive approach to training and publicity work. The draft plan of action to implement the program includes issues related to preventing and combating such forms of human trafficking as sexual exploitation, labor exploitation, ordered or mediated fraudulent marriage, child adoption and trading in human organs as well as issues related to protecting crime victims.

48. The work is in process to create a single information pool on human trafficking crimes. This information pool is designed to be used by state organs in investigating, detecting and preventing crimes.

49. The Government has implemented in three stages in the course of 9 years till 2014 the national program on combating human trafficking, especially protecting children and women from being used for sexual exploitation and will continue its implementation.

50. In order to prevent victims of human trafficking crimes to be drawn into crimes, to provide compensation to victims, to carry out their social rehabilitation the Consular Department of the Ministry of Foreign Affairs in cooperation with relevant state organs and NGOs is engaged in safely bringing back home the Mongolian nationals whose interests were violated abroad due to human trafficking crimes. For instance, in 2014, 36 citizens who have become victims of human trafficking and other crimes were brought home.

51. Mongolia concluded in 2010 an Agreement on Cooperation in the field of combating human trafficking with the Government of Macao Special Administrative Zone of the PRC as well as the Agreement on Cooperation to Combat Crimes with the PRC in 2011. Regulations on providing assistance to citizens who have become victims of human trafficking abroad, providing a temporary shelter and foodstuffs, granting passport or similar document and allocating resources required to bring them back home were approved and became operational in 2013.

52. "Common requirements for providing social services to victims of human trafficking crimes" have been adopted as Mongolia's standards and the main purpose of these standards is to specify common requirements for providing public-based welfare services to victims of human trafficking crimes, to define the environment for such services and thus to elevate the service quality.

53. Out of 12 human trafficking crimes filed in 2013 one case had child victim. As of 2014 out of 15 human trafficking crimes 10 cases were criminalized and transferred to the court, 5 cases are under investigation. In 2010–2014, 17 victims of human trafficking crimes have been placed in protection shelters, provided with legal and health care services and their social rehabilitation work has been carried out.

E. Protection of witnesses and victims

54. In accordance with Article 7 of the Law on Protection of Witnesses and Victims the regulations on "Changing appearances as a protective security measure", on "Changing documents of witnesses and victims", on "Temporary Placement of witnesses and victims in safe shelter as protective security measure", on" Providing and utilizing individual special appliances, special techniques and communication equipment" and on "Providing health care assistance to witnesses and victims" have been approved by the Minister for Justice and have become operational.

55. Witnesses and victims are placed in a temporary safe shelter upon their consent, in case of junior witnesses and victims–upon the consent of parents, legitimate guardians or organizations for protecting children's rights. When witnesses and victims are placed in safe shelter, protective measures are taken in accordance with the risk level and while they are under protection they are provided with psychological and legal assistance by the professional team of the special security unit of the Marshals Service. The Regulations on "Providing health care assistance to witnesses and victims" stipulates that the person under protection shall be provided with health care services by all level health care organizations irrespective of ownership and in case that person is taken to hospital for medical aid his security shall be the responsibility of the organization that provides protection.

56. In the Regulations on "Providing and utilizing individual special appliances, special techniques and communication equipment" it is indicated that when witnesses and victims are provided with individual special appliances, special techniques and communication equipment within protective security measures an agreement shall be concluded and instructions given in a mandatory manner as to how use them and for what duration. The Regulation also specifies who will set the duration of using appliances and contains the list of special technical appliances that was approved by the Regulation.

57. The police organization reflected the principle of protecting the dignity and security of witnesses and victims in the stand-alone Law on Combating Human Trafficking. The reflection of the police organization's norms in respect of crime witnesses and victims in such documents as "the Law on Police" (2013), code #244 (Protection of witnesses and victims), code 228 (Investigation activities) and, code #305 (Establishment and use of information pool on criminal groups) of the "Regulations on Police Activities" as well as the Regulations on treatment of witnesses and victims (2014) constitutes a step forward towards improvement of the legal environment related to crime victims.

58. In pursuit of the goal to secure safety of witnesses and victims and to provide them professional psychological and legal assistance during the crime investigation, in cooperation with the first instance 1st district criminal court a special room for witnesses and victims in the building of this court started to function since 2014. This room provides facilities for witnesses and victims that enable them not to meet suspects and convicts and

undergo psychological pressure, relieve them from being present at the court hearing but watch the court proceedings and give testimony from the room.

F. Anti-corruption measures

59. The adoption and implementation of the Law on Information Transparency and the Right to Receive Information of 2011 with a view to ensure the transparency of the state activities and secure the right of citizens and legal persons to seek and receive information have created conditions conducive to anti-corruption preventive measures. To ensure transparency in public service and prevent from corruption and conflict of interests, the Law on settling public and personal interests in public service and preventing conflict of interests was adopted in 2012.

60. Under this Law public servants and officials prior to job appointment have the duty to declare in advance about personal interest conflict and the implementation of the Law has been very good. To ensure transparency of anti-corruption fight and the Law implementation to the public, regular information on registration of income declarations of officials is placed on the relevant website and in other mass media.

61. In 2012 some additions and changes were introduced to the Anti-Corruption Law to the effect that limitations to personal information set by the Law on State, Organizations' and Individuals' Secrecy shall not be relevant which bears positive effect on detection of corruption cases.

62. Integration of the Investigation Service of the State General Prosecutor's Office into the Anti-Corruption Authority with a view to ensure the independence of the Anti-Corruption Authority enabled the conduct of investigation of ex-officio crimes committed by intelligence and police officers, case filers, investigators, prosecutors and judges.

63. The SGH adopted the Law on Transparent Account in 2014. Under this Law the state and state-owned organizations are prohibited to classify information related to budget planning, execution, implementation and reporting except the information of state secrecy and are required to place all the relevant information on their websites.

64. In 2013 the Law on Combating Money-Laundering and Financing of Terrorism was approved and put into operation with a view to fight money-laundering and financing of terrorism, to improve the preventive activities and to attain the international standard regulation.

G. Promotion of women's rights

65. Following the recommendations by many countries regarding the enactment of the law on ensuring gender equality, prohibition of women discrimination due to sex in all areas and enlargement of women's participation at the decision-making level, the Law on Gender Equality was approved in 2011.

66. The revised Law on Election to State Great Hural approved in 2012 stipulates that no less than 20 per cent of party and coalition candidates in the elections shall be women. In 2012 elections to the SGH, 32 per cent of candidates were women and out of 76 elected parliament members women made up 14.47 per cent or 11 female members which is a 4-fold increase as compared to the previous Parliament.

67. The Law on Gender Equality provides for women representation at all levels in ministries, agencies and local governing organizations be no less than 15–40 per cent. Out

of overall 17.9 thousand public servants in the state administrative service women make up 57.4 per cent, including 27.6 per cent at senior level.

68. Since the enactment of the Law on Gender Equality the NHRC received and transferred to the law enforcement organizations in overall 39 complaints on working place sexual harassment and domestic violence related to women discrimination, including 5 complaints in 2011, 9 in 2012, 16 in 2013 and 9 in the first six months of 2014.

69. To protect the health of mother and child in some aimags "Mother and Child Health Care Fund" was established that finances medical treatment of poor families. Dispatching of mobile hospital and professional medical teams to soums for providing medical aid to herders in remote area has reduced emergency calls.

70. In compliance with the relevant legislation of Mongolia social insurance and welfare fund grants pregnancy and birth allowances to enhance the social welfare of maternity. The Human Development Fund provides children's money to all Mongolian children under 18 years of age.

71. Measures undertaken to reduce maternal morbidity have produced tangible results and the last years have seen a consistent decline in maternal morbidity. For instance, maternal morbidity in quantitative terms reduced in 2012 to 51.5 per cent, in 2013 to 42.6 and in the first 11 months of 2014 to 33.2 per cent. If in 2004 the number of maternal morbidity among female herders constituted 49 per cent, then in 2010 it reduced to 37 and in 2012 to 13 per cent.

72. In a newly elaborated draft of the Criminal Code sexual harassment is qualified as a crime.

73. In Mongolia girls and boys, women and men have equal access to primary, comprehensive secondary, high education and vocational training in all fields, including science and technology. The Government of Mongolia established at the Ministry of Education and Science the center for life-long education. According to the legislation, education inspectors of the professional inspection exercise control over the implementation of the policy of equal access to education by girls, boys, women and men, over education service quality and activities.

H. Protecting the rights of child

74. The National Council for Children led by the Prime-Minister of Mongolia approved in 2010 a strategic policy paper (for 2010–2015) on enhancement of child protection designed to develop a system of protecting and preventing every child from negligence, violence and labor exploitation and has been working on its implementation through planned activities. To realize the strategy, annually additional 400–500 million tugrugs in average have been financed by the Government of Mongolia since 2012.

75. The National Program on elimination of intolerable forms of child labor and Children's development stage-by-stage Program were adopted and put into operation in 2011 and 2013 respectively.

76. Out of 428 laws that are valid in Mongolia around 60 contain over 350 provisions about children and their rights. In order to improve the national legislation in compliance with the Convention on the Rights of Child. Draft laws on the rights of child and on child protection have been finalized and process for adoption by the SGH is commenced. Provisions related to reduction of child labor were reflected in these draft laws as well as

provisions on prohibition of labor employment for persons under 15 years of age were included in the revised[2] draft of the Labor Code and legal regulation of child adoption provision was reflected in the revised draft of the law on Family in line with the relevant international instruments.

77. Mongolia is working towards the ratification of the Optional Protocol to the Convention on the Rights of the Child on a Communication Procedure. The NHRC approved the Regulations on receiving, distributing and resolving children's applications and complaints in 2012. The NHRC out of all applications and complaints related to the rights of the child has fully resolved in 2010–6, in 2011–10, in 2012–1, in 2013–12 applications and complaints.

78. As there exist to a certain extent violence and hidden forms of physical punishment against children, a hotline to help children was put into operation to integrate the detection, registration and protection activities for children living in such conditions. Children's help telephone line 108 functions around 24 hours (free of charge) and all information from citizens and organizations about violation of children's rights is registered and risk assessment is made. As of end of 2013, 42,946 targeted calls were received at this telephone number and relevant service was rendered. Children's help telephone line is the basic activity for creating case-based service system along the functions of the children's organizations. Starting from 1 June, 2014 Mobicom Corporation and World Vision international organization provide joint financial support to this project for 3 years.

79. The MNS6264:2011 standard requirement for mandatory introduction of protection clothes for children riders participating in the national horse racing since 2012 led to some progress in protecting the rights of children horse riders; however there remain issues that require further attention.

80. The National Plan of Action for 2012-2016 on Eliminating the Intolerable Forms of Child Labor drafted with the support from the International Labor Organization and approved by the Government in 2011 sets the principal goal of bringing the national legislation on child labor in conformity with the acceded international treaties, improving the capacity of the law enforcement organizations and enlarging the accessibility to health care, education and social services for children who suffered from intolerable forms of labor. As of 2013, 10,398 children out of overall 93,968 children engaged in labor are employed in hard work.

81. In order to improve control over child labor through increasing the number of specialized labor inspectors, a methodology guideline for controlling child labor was elaborated in 2009 which was to be pursued nation-wide. The verification of the economic entities conducted by the state labor inspectors in 2012 in accordance with the guidelines revealed employment of 1,012 children and relevant measures were taken in line with the legislation.

82. Accessibility to social services specifically designed for working children is limited. Though the NGO center in charge of providing daily services to working children started to function in the capital city since 2010, at present it is capable of rendering services to a few children due to lack of adequate budget and financial resources.

83. In 2013–2014 the central labor stock exchange involved 81 children aged 16–18 years into vocational training at their request within its "Program on Training National

[2] Draft laws are classified as initial and revised edition. In case when certain social relations are legally regulated for the first time the given draft law is understood as initial but if a law that regulates the relations has been amended by changing its 50 and above percent of regulations then the given draft law is understood as revised.

Qualified Workers". The Children and Family Development Department in 2012–2013 involved 180 children aged 5–17 years, engaged in voluntary labor, into its social integration training.

I. Protection of rights of disabled presons

84. The Ministry of Population Development and Social Welfare is currently drafting the law on the rights of disabled citizens. In the reporting period a Plan of Action for 2013-2016 on the implementation of the UN Convention on the Rights of Persons with Disabilities was launched to support the development of disabled persons, to ensure their participation, to increase their employment and to enhance their rights to education and to be free from violence and discrimination and to promote their other rights. Under this Plan, the aimag and district organizations carried out planned activities to intensify their work in respect of disabled persons, the implementation reports of ministries, agencies, aimags and districts were consolidated and submitted to the Government meeting. Thus, a monitoring mechanism is in place and this task has been fully realized.

85. Within the framework of revising the law on social welfare of disabled persons a draft law on the rights of disabled persons was newly drafted and a discussion meeting on the draft was organized to receive feedback from the state and non-governmental organizations, citizens and the public. The draft of the law concept was submitted to the Government meeting on 18 October, 2014 for approval and now the drafting work of the law is under way.

86. In 2013 the commission on health care, education and social welfare of disabled children was set up. The commission elaborated a primary stage rehabilitation registration sample for disabled children of 4–16 years of age and an evaluation sheet on early detection of disability in children of 0–3 years of age and organized a nation-wide event on early detection of disability in children of 0-3 years of age. During the event in 21 aimags of Mongolia and 9 districts of capital city, 134,579 children of 0–3 years of age have undergone medical check-up, including 99,208 children in rural area and 35,371 children in the city. From all checked-up children of 0–3 years of age, 73.7% were from aimags and 26.3% from the city districts. 132,614 children or 98.5% were children with normal development and 1,965 children or 1.5% were children with retarded development.

87. Within the "Tegshduuren program", rehabilitation cabinet and orthopedic shop worth of 25.5 million tugrugs have been established in Huvsgul, Orhon, Arhangai and Umnugovi aimags as well as in Suhbaatar, Bayanzurh and Bagahangai districts of the capital city.

88. The Ministry of Health and Sports approved in 2013 the National Program on Prevention of Children from Accidents and the Infants' Probing and Analysis Program (for 2014–2020) and organized training for parents of children with cerebral paralysis in 4 aimags and 3 districts of the capital city.

89. With a view to reduce the number of inherent disabled children, a medical genetics and pre-natal diagnostics laboratory was set up at the National Maternity and Child health care center.

90. The second stage of the Program on equal access of disabled children to education is being implemented. Specialized education teachers have been enrolled in one year capacity-building training at the Education University of Mongolia. Within this framework Training and diagnostics laboratory for disabled children was established at this University with state budget financing. According to the 2013 report of the Ministry of Labor, out of total 42,798 students attending vocational training and production centers 513 are disabled children.

91. Within the work to improve the learning environment for disabled children an expansion of school building for 320 children with reading halls, teachers and students' development room and medical physical culture room was completed and put into operation which created facilities to study and conduct classes in classrooms. In 2013–2014 academic year some textbooks have been elaborated for special schools and published in quantities equal to statistical data on students of 5 special schools.

92. The regulations on accounting expenses of special training organizations, approved by the Government in 2012, stipulate that when providing financing to special training organizations in charge of special education for disabled children the normative expenses rate per each child shall be increased three-fold. Concrete and effective activities have been undertaken to reflect methodology and psychology of work with disabled children in capacity-building programs for general educational schools and to carry out training courses on special need education.

93. To increase enrollment capacity in schools and kindergartens for disabled children special education teachers are trained domestically and for this purpose one year training course for special education teachers has been launched in the pre-school education school of the Education University of Mongolia. At the request of the state organization and with the support of international organizations 46 million tugrugs-worth training equipment, including Bryle printer, walking sticks, lenses, Bryle paper, magnifying glasses as well as buses and micro vans with lifting appliances have been delivered to school No.116 for blind children and children with poor sight.

94. Within the program on supporting employment of disabled citizens 2 billion 668 million tugrugs have been allocated to finance 2,159 projects nation-wide selected in disabled persons business tender for individual entrepreneurship or establishment of cooperatives and companionships and as a result 1,660 disabled persons have got employment. A limited tender was also announced among NGOs engaged in protecting the interests of disabled persons and economic entities and as a result 759,4 million tugrugs-worth financial assistance has been provided to 33 NGOs and economic entities and 114 disabled persons have got employment. Besides this, financial assistance has been provided to economic entities and NGOs which provided permanent employment to 91 disabled citizens.

95. In 2013, 162 disabled persons and in 2014, 157 disabled convicts were imprisoned in detention camps of the General Court Decision Enforcement Office. Out of this 99 disabled convicts in 2013 and 77 in 2014 at their request were provided with suitable working place at the detention camp's internal production facilities like librarian, laminator or embroider. Their salary and promotion issues are being resolved gradually step-by-step and damage payment was reduced to a certain extent.

96. Under the laws on social security and social welfare of disabled persons the targeted group receives 68 types of assistance, services and benefits. In 2013 one billion tugrugs (in aimags 10–35 million, in districts 60–80 million tugrugs) were allocated for providing financial support to disabled persons who individually or within cooperatives or companionships run enterprise. Provision of 986.0 million tugrugs in financial support of the selected 883 projects led to creation of in total 1,439 working places, including 996 permanent working places for disabled persons.

97. With a view to create conditions for disabled persons to exercise their voting rights in 2013 Presidential election for the first time special facilities were created for electors in wheelchairs in 3–4 polling stations. In voting booths a magnifying glass, reading glasses, file with Bryle alphabet were put for people with sight deficiency that enabled blind persons for the first time to cast their votes independently without assistance of trusted people.

J. Protection of rights of LGBT persons

98. To prohibit legally and to fight all forms of discrimination Mongolia is studying the possibility of recognizing Article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination and introduced into a newly drafted Criminal Code the provision which reads "Criminal offences shall be imposed in case of discrimination due to nationality, origin, language, skin color, age, sex, social origin and status, wealth, employment, position, religion, views, education, appearance, sexual and gender orientation and health condition as well as in case of restriction of rights and freedoms, demand of action or inaction and intimidation."

99. Due to traditional approach the discrimination against LGBT persons and violation of their human rights still exist to a certain extent. The results of a research on the implementation of rights of the LGBT persons in Mongolia carried out in 2012 with a view to combat discrimination due to sexual or gender orientation, to disseminate human rights education and information to the public and to raise public awareness have been reflected in the 12th report by the NHRC on situation of human rights and freedoms in Mongolia submitted to and discussed in SGH Standing Committee on Legal Affairs.

100. Within the NGO project on "Raising the public awareness and understanding of LGBT persons' rights "aimed at reducing the negative image and resentment existing in the society, improving the people's attitude and thinking culture and creating an environment conducive for the LGBT persons to exercise their rights and freely express their views, TV ads and documentaries broadcasted by several TV stations have proved to be effective.

K. Prevention and combating HIV/AIDS

101. The revised Law on Health and the revised Law on Prevention of Human immunodeficiency virus and acquired immunodeficiency syndrome were adopted respectively in 2011 and 2012. These laws provide new regulations for providing medical aid and services to the population without any discrimination on an equal and accessible basis, for banning any restriction of human rights and freedoms due to HIV infection or AIDS and for prohibiting any insult and all forms of discrimination of such persons.

102. In 2013 a mid-term evaluation of the National Strategic Plan on Prevention of Sexually transmitted infection (STI) and HIV/AIDS was carried out and the Ministry of Health and Sports and the National research center for infectious diseases were charged with the duty to coordinate and ensure the Plan implementation and thus, a mechanism to implement the consolidated policy on STI and HIV/AIDS was set up.

103. Mongolia is among the countries with small spread of HIV infection and at present no cases of transmission through blood, blood products and from mother to fetus were registered. As of 2014 all 126 citizens registered with HIV/AIDS that need treatment are undergoing antiretroviral treatment and starting from 2013 the Mongolian Government took responsibility for their drug expenses. All this testifies to the improvement in accessibility and quality of the public health care and medical aid services related to the prevention from HIV/AIDS.

104. To prevent HIV/AIDS Mongolia at the national level put into operation voluntary counselling and analysis centers on detection of HIV infection that bring services closer to citizens. The Probing and analysis service of the National research center for infectious diseases organizes nation-wide training workshops.

L. Promotion of the right to education

105. Mongolia started to implement "One Mongolia" open education national program approved in 2014 which aims at creating opportunity to get communications and information technology-based, open, life-long, and continuous and quality education.

106. Activities are carried out to provide primary, basic and comprehensive secondary education to citizens who once dropped school or for other reasons were left outside of school and to provide literacy and livelihood education within the framework of such legislation as the Law on Education, Policy paper on non-formal education (2010), Regulations on conduct of training along the coincident curriculum of primary, basic and comprehensive secondary education (2007).

107. 12,025 students in 2011–2012 academic year and 11,810 students in 2012–2013 academic year who were enrolled in Re-education program received basic education certificates and comprehensive secondary education diplomas. 9,000 people were enrolled in primary and middle stage literacy training, including 120 children from monasteries and 78 children from remote area.

108. In 2013-2014 academic year 1,573 students were enrolled in and completed life-long basic education coincident program, 849 students – in extramural and evening classes at the comprehensive secondary level and 1,391 students – in life-long comprehensive secondary education coincident program.

109. A new section on the struggle for human rights, freedoms and democracy has been incorporated into history of education school and social study curriculum.

110. With a view to increase prevailing private sector participation in promoting the national education and health systems, the right to organize professional level examinations was given to an NGO to select organizing associations and unions according to a special criteria.

111. In 2013–2014 academic year, in overall 1,067 kindergartens function at the national level, 303 of which belong to private ownership and out of 756 general education schools 128 or 16.9 % are privately owned schools.

112. In order that children of citizens living and working abroad do not forget their native Mongolian language and with a view to provide them with an opportunity to study Mongolian language, textbooks are being delivered to them through the Diplomatic missions in foreign countries.

M. Promotion of the right to employment

113. Though the Labor Code stipulates that "Remuneration of the same amount shall be established for male and female employees performing the same work", the principle of "equal remuneration for men and women workers for work of equal value" fixed in the Equal Remuneration Convention No.100 of the International Labor Organization / further referred to as ILO/ is not reflected. This principle will be included in the revised draft of the Labor Code.

114. Under the Law on Public Service, salaries and wages of state employees are given irrespective of sex in accordance with wage scales established by the Government in relevance to position and level classification.

115. The tripartite national committee on labor and social consensus approved "Recommendations on salaries and wages in economic entities and organizations" that specify work evaluation methods and defining of job type and level on the basis of the

evaluation. Though a small amount of big economic entities and organizations, following this job classification and wage scale, conclude joint contracts and agreements and pay salaries and wages reflected in these documents, an over whelming part of economic entities and organizations do not pursue these recommendations. In cooperation with the ILO efforts are being undertaken to enhance capacity of partner organizations in concluding wage contracts starting in the first instance from organizations in mining and construction fields.

116. The Ministry of Labor implemented in 2014 Labor preparation program designed to provide in a short span of time professional skills to unemployed and unqualified workers as well as the National program on preparing professional workers, program in support of employment of citizens above 40 years of age, Enterprise development program, Program on support of herders employment, Program on support of working place for disabled persons, Program on support of youth employment, Program on students' employment and working hour program and Project on consulting services of elder experts.

117. "Master Mongolia" program is being implemented for the sake of providing a temporary working place for unemployed citizens registered with the employment organization, involving them in public-large activities and creating green working places.

N. Poverty and promotion of food security

118. According to statistical data, if in 2010 the poverty level reached 38.7 %, then at the end of 2012 it dropped to 27.4 %. In rural area the unemployment level accounts for 35.5 per cent while in urban area it equals to 23.2 per cent.

119. The Law on Food and the Law on Security of Food Products were newly approved in 2012 with the aim to reduce poverty and increase food supplies and accessibility. The drafts of the Organic Food Law, of the National program on supporting organic food production and of the List of substances to be used in organic food production have been elaborated. The National food security program has been implemented by the Government since 2009 and will be implemented till 2016 to improve the food security situation.

120. The unified information pool has been created on 794,090 families of Mongolia according to their living standard and food vouchers have been distributed monthly to 16,822 families or 2 per cent of all families that inevitably need social benefits and support.

121. As of 2014, the indicators of population food situation in Mongolia like the development lagging of children under 5 years of age, the number of starving and food deficient people have reduced to 10.8 %, 1.6 % and 1.0 % respectively and that enabled Mongolia to attain the goal of 6-fold decrease of starving and food deficient people in 2015 as compared to 1990. The implementation of "Midday tea program" for pupils of primary classes of general education schools has led to the reduction of school dropouts among the children from lower income families and to the decrease of food shortages and deficiency.

O. Environment degradation and promotion of security

122. To improve the legal environment, to eliminate the overlapping, gaps and contradictions of 18 laws in the field of environment and improve the coordination, in 2012 amendments were introduced to 15 laws and the Laws on water pollution fee, on soil protection and on protection from desertification have been newly adopted and put in to operation.

123. Under these laws the person who violated ecological balance and inflicted damage shall eliminate the damage through payment of compensation. The environment

rehabilitation fund was set up which provides opportunity to protect environment and to lessen the environment degradation through using no less than 55 per cent of the income from payment of natural resources fee that shall be concentrated in aimags and capital city. The local dwellers have received the prevailing right in protecting the environment and using the fruits of natural wealth.

124. The National program on climate change was approved in 2011 and within the program 5.5 million US dollars-worth project on implementation of adaptation measures based on ecosystems in river basins vulnerable to climate change is under way with financial support of UNDP and Adaptation fund.

125. The Ministry of Environment, green development and tourism in cooperation with UNDP has implemented the Program on improved delivery of water and sanitation services (2008–2013) in Govi-Altai, Bayanhongor and Umnugovi aimags. The Program is designed to improve the management, organization and structure of organizations in charge of water and sanitation facilities and to provide local citizens with drinking water that meet the health care requirements and with improved sanitation services.

P. Challenges and ways to overcome them

126. Though the legislative documents on promotion and protection of human rights have been enacted by the competent authorities, there is still a need for further improvement of human capacity and skills to implement in full the laws. In addition, financial resources are still inadequate.

V. Priority issue

127. In the reporting period Mongolia has undertaken concrete measures to implement the recommendations. In particular, a considerable progress has been made in the field of acceding to the international treaties and enacting national legislation on specific types of human rights. The priority issue shall be the further improvement of human and institutional capacities of law enforcement organizations and promotion of human rights education of the public.